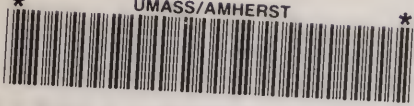


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The Commonwealth of Massachusetts

BOARD OF HIGHER EDUCATION



GENERAL LAWS

AND

PROCEDURES

Pertaining to the incorporation of or charter amendments to institutions of higher education with respect to authority to use the term "college", "junior college", or "university", and with respect to authority to confer degrees.

1974

THE COMMONWEALTH OF MASSACHUSETTS

Board of Higher Education
Established by Chapter 572, Acts of 1965

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INTRODUCTION

The purpose of this booklet is to present the laws and to summarize the procedures of the Commonwealth of Massachusetts pertaining to the incorporation of or charter amendments to institutions of higher education with respect to authority to use a name including the term "college", "junior college", or "university", and with respect to authority to confer degrees. The booklet, therefore, is intended for officials of existing or proposed institutions of higher education which desire either to amend their charters with respect to a junior college, college or university name or degree authority, or to incorporate under such a name or with degree authority.

Legal responsibility for collegiate authority rests, under Massachusetts law, with the Board of Higher Education, which was established under Chapter 572 of the Acts of 1965. Section 30 of that Act abolished the former Board of Collegiate Authority and transferred its powers and duties to the Board of Higher Education whose establishment and purposes are contained in Sections 1A and 1D of Chapter 15 of the General Laws. The Board of Higher Education, however, has additional functions not explicitly covered in Chapter 15, but jurisdiction for which is contained in other general laws, as, for example, in Section 30 of Chapter 69 which covers private sector educational corporations regardless of whether any prior degree authority or name came through Acts of the legislature prior to 1943.

Prospective institutions of higher education which do not desire, as part of their initial incorporation, a college or university name and/or degree authority, may incorporate directly under Chapter 180 or 156B of the General Laws without coming under the provisions of Section 30 of Chapter 69. Such a procedure can simplify the process of incorporation, but does not carry with it assurance of ultimate degree authority or such name.

Out-of-state institutions operating or wishing to operate academic programs within the Commonwealth of Massachusetts may either (1) be endorsed and approved as "foreign corporations" by the Commonwealth Secretary of State under Chapter 844 and Chapter 1209 of the Acts of 1973 and subsequently petition the Board of Higher Education for degree authority through the same processes as domestic educational institutions, or (2) incorporate in Massachusetts and petition the Board of Higher Education for degree authority.

Proposed junior colleges, or institutions desiring to obtain authority for “junior college degrees” (associate degrees) must first incorporate without a junior college name or degree authority because condition two in Section 31 of Chapter 69 states that such institutions must have operated as educational institutions for a period of not less than one year prior to filing Articles of Amendment for associate degree authority or a junior college name.

Decisions regarding petitions are made by the Board of Higher Education after receiving the recommendation of its Collegiate Authority Committee, composed of members of the Board.

Existing or proposed institutions with questions or problems not adequately covered here concerning collegiate names or degree authority should contact:

The Board of Higher Education
Collegiate Authority Staff
182 Tremont Street, 14th floor
Boston, MA 02111
Tel: 617-727-5362

GENERAL LAWS

The following general laws of Massachusetts relate to collegiate authority, namely, the authority to use a title which includes the term "junior college", "college", or "university" and/or authority to confer degrees.

CHAPTER 69

APPROVAL OF ARTICLES OF ORGANIZATION OR CERTIFICATES OF CHANGE OF PURPOSE OF CERTAIN EDUCATIONAL INSTITUTIONS

SECTION 30. The state secretary, before approving a certificate of organization in connection with the proposed incorporation of a college, junior college, university or other educational institution with power to grant degrees, or articles of amendment to the charter of an existing educational institution which will give it such power, or changing its name to a name which will include the term "college", "junior college", or "university", shall refer such certificate or articles to the board of higher education. Said board shall immediately make an investigation as to the applicants for incorporation of such an institution and as to the purposes thereof and any other material facts relative thereto. Said board may approve such certificate or articles for a junior college the name of which does not include the word "junior" provided the charter of such educational institution requires that such name when used on its official documents and publications be accompanied by a descriptive phrase which in the judgment of said board will effectively distinguish such institution from a senior college. In the case of a proposed amendment to the charter of an existing educational institution which will give it power to grant degrees, or change its name as aforesaid, said board shall make an investigation of the institution, its faculty, equipment, courses of study, financial organization, leadership, and other material facts relative thereto. In acting upon any such certificate or articles referred to it hereunder, said board shall give a public hearing, notice of which shall, at the expense of the applicants, be published once a week for three successive weeks in two newspapers, one of which is published

in the county where the institution has or is to have its principal office or place of business, the last publication to be at least three days before the date set for the hearing. Said board after making its investigation hereunder and subject to the provisions of section thirty-one, shall make a determination approving or disapproving the certificate of organization or articles of amendment referred to it hereunder and shall forthwith report its findings to the state secretary. If said board disapproves a certificate of organization or articles of amendment referred to it under this section it shall submit with its report a written statement setting forth in detail the reasons for its disapproval of such certificate or articles. If it appears from the report so submitted to him that said board does not approve of such certificate or articles, he shall refuse to endorse his approval thereon, otherwise he shall endorse his approval thereon unless he finds that the provisions of law relative to the organization of the corporation or the amendment to its charter have not been complied with. If such certificate or articles are not approved hereunder, the applicant or applicants may appeal to the superior court, which shall hear the case and determine whether or not the certificate or articles shall be approved. For the purpose of determining evidence of improvement and growth, the board of higher education, through its agents, shall make periodic inspections of every such educational institution within the twelve years next following its approval of the certificate of organization of such institution or its approval of the articles of amendment referred to it under this section. (1943, 549, §3; 1953, 290; 1960, 405; 1962, 750, §4; 1965, 572, §11; 1967, 268, §2.)

POWER OF EDUCATIONAL INSTITUTIONS TO GRANT DEGREES REVOCATION OR SUSPENSION THEREOF

SECTION 30A. The board of higher education shall establish standards relative to faculty, equipment, courses of study, financial organization, facilities, physical plant and leadership which shall apply to any educational institution for which said board has approved the certificate of organization or an article of amendment under the provisions of section thirty.

If said board has reason to believe that any such institution does not comply with such standards it may, after a hearing, suspend or revoke the power of such institution to grant degrees. Proceedings under this section shall be deemed to be adjudicatory proceedings as defined in section one of chapter thirty A and shall be subject to the provisions of said chapter thirty A, except that (1) pending a final decision by the court the institution shall continue to have the power to grant degrees, (2) no suspension or revocation under this section shall become effective until the time for filing a petition for review has expired and (3) the board shall forthwith notify the state secretary upon any suspension or revocation under this section becoming effective. (1963, 202; 1965, 572, §12.)

JUNIOR COLLEGES — CONDITIONS FOR APPROVAL OF
ARTICLES OF ORGANIZATION OR ARTICLES OF
AMENDMENT FOR CHANGE OF NAME OR
CHANGE OF PURPOSE

SECTION 31. Said board of higher education, in acting upon the certificate of organization in connection with the proposed incorporation of a junior college, with power to grant degrees, or in acting upon articles of amendment to the charter of any existing educational institution which will give it power to grant junior college degrees or provide for a descriptive phrase under section thirty, or changing its name to a name which will include the term "junior college", shall not approve such certificate or articles unless —

First, The institution is offering instruction on a level and to a degree of thoroughness distinctly above that of the secondary school and below that of advanced senior college specialization, and offering either (*a*) a two-year course of study on a collegiate level, equivalent in content, scope and thoroughness to that offered in the standard four-year colleges and universities, or (*b*) a two-year terminal course of study of a vocational or semi-professional training, or both.

Second, The institution is organized under the laws of the commonwealth as an educational institution, and shall have operated as such an institution for a period of not less than one year immediately prior to the filing of the petition for such privilege. The general character of the institution, its professional outlook, and the character and quality of its leadership and personnel shall be determining factors in the approval of the institution.

Third, The faculty of the institution consists of teachers with adequate preparation and successful experience in their respective training fields, and in academic courses, a high percentage of the instructors have satisfactorily completed one year of advanced study after having attained the baccalaureate degree, and in terminal, semi-professional courses, instructors are able to provide evidence of a high degree of proficiency in their special fields.

Fourth, The basis for admission to the institution is the satisfactory completion of a secondary school program, or its equivalent.

Fifth, Requirements for graduation are based upon the satisfactory completion of a minimum of sixty semester hours of

study, exclusive of physical training and exercise and institutions organized on other than the semester hour basis give evidence of the equivalence of the work provided. A semester hour, for the purpose of this clause, is hereby defined as a class, meeting for one hour weekly for at least fifteen weeks.

Sixth, The institution, if offering two-year courses of study on a collegiate level, undertakes to provide the equivalent of the general education of the first two years of the standard four-year college, and gives satisfactory evidence that its semi-professional curricula are designed to provide reasonably proper instruction to students taking courses of a vocational or semi-professional nature.

Seventh, The institution has an adequate library, adequately housed, properly catalogued, has an adequate supply of current periodicals, including scientific and research journals, if such journals are properly related to the courses of study offered, and has a satisfactory annual appropriation for its continued maintenance.

Eighth, Laboratories, when necessary in connection with the courses of study offered, are adequately equipped for instructional purposes with sufficient space and suitable apparatus and equipment to meet the educational objectives of the institution, whether they be cultural or semi-professional.

Ninth, The material equipment of the institution, including its lands, buildings, classrooms and dormitories, is sufficient to insure efficient operation, and its physical plant provides safe, sanitary and healthful conditions, as judged by modern standards.

Tenth, Teaching or classroom hours of teaching in the institution do not exceed eighteen hours weekly, and classes are ordinarily limited to thirty students and the ratio of students to instructors above the level of assistants is not unreasonably excessive.

Eleventh, The institution, if seeking to provide a program equivalent to the first two years of the standard college program, offers work in at least five separate departments: English, mathematics, foreign languages, natural sciences and social sciences.

Twelfth, If the institution intends to operate a junior college and a preparatory or secondary school under the same administration, provision is made for a separation between the two divisions of the institution, and, if the institution maintains housing quarters for its students, junior college students and secondary school students will be housed in separate quarters.

Thirteenth, In addition to satisfying the authorities that it meets the provisions of an educational institution, the institution submits evidence of sound financial structure and operation over a period of at least two years. (1943, 549, §3; 1965, 572, §13.)

DEGREE AUTHORIZATION BY THE COMMONWEALTH

SECTION 31A. No educational institution located within the commonwealth shall award degrees unless authorized to do so by the commonwealth. (1964, 66.)

PROVISIONS FOR STUDENT RECORDS FROM DEFUNCT INSTITUTIONS

SECTION 31B Any educational institution with power to grant degrees in the commonwealth which ceases to exist shall transfer all of its student records to the board of higher education. (1973, 305.)

CHAPTER 74

SPECIAL PROVISION FOR INDUSTRIAL, TECHNICAL, AGRICULTURAL, AND VOCATIONAL SCHOOLS CONCERNING DEGREE-GRANTING AUTHORITY

SECTION 37A. If a school committee of the board of trustees of any industrial, technical, agricultural or vocational school subject to this chapter determines that sufficient need exists in such school for a course or courses beyond secondary school level and designed to prepare students for greater opportunities for employment in industrial, agricultural and technical occupations, it may submit in writing its plans for such course or courses to the board of higher education. Upon the written approval of said plans by said board, such school committee or board of trustees may establish and maintain such extended courses of instruction on a technical institute level, and public funds may be appropriated for said purpose; provided, that such courses of instruction conform to such standards as said board may establish, and are maintained by said school committee or said trustees under the general regulations of the board. Any such school may use the designation "technical institute" with respect to the maintenance of such courses at such school, and the school committee or trustees of such school may, subject to the approval of the state board and the board of higher education, grant the degree of Associate in Applied Science to persons who complete such course or courses of instruction.

This section shall not be applicable to the board of regional community colleges, or any action of said board under section twenty-seven of chapter fifteen, or to any regional community college. (1963, 562, §1; 1965, 572, §26; 1967, 268, §3.)

CHAPTER 266

FALSELY PRETENDING TO HOLD A DEGREE, ETC. OR GRANTING DEGREES WITHOUT AUTHORITY; USE OF WORD "UNIVERSITY" OR "COLLEGE"

SECTION 89. Whoever, in a book, pamphlet, circular, advertisement or advertising sign, or by a pretended written certificate or diploma, or otherwise in writing, knowingly and falsely pretends to have been an officer or teacher, or to be a graduate or to hold any degree, of a college or other educational institution of this commonwealth or elsewhere, which is authorized to confer degrees, or of a public school of this commonwealth, and whoever, without having lawful authority to confer degrees, offers or confers degrees as a school, college or as a private individual, alone or associated with others, shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both. Any individual, school, association, corporation or institution of learning, not having lawful authority to confer degrees, using the designation of "university" or "college" shall be punished by a fine of one thousand dollars; but this shall not apply to any educational institution whose name on July ninth, nineteen hundred and nineteen, included the word "university" or "college". (1893, 355, §1; RL 208, §75; 1919, 293, §4; 1943, 549, §7.)

PROCEDURES

The Board of Higher Education has established, in conjunction with the other agencies involved, procedures to implement the general laws cited in the previous section. In the case of Section 30 of Chapter 69, the Board of Higher Education, in carrying out its legal responsibilities to review petitions and to make determinations, coordinates with the Office of the Secretary of State. In the case of Section 37A of Chapter 74, the Board of Higher Education and the Board of Education have jointly adopted procedures for the consideration of requests for degree authority filed under that provision of the general laws.

Section 30, Chapter 69

This section of the general laws covers private institutions. Such institutions, should they desire a college name or degree authority not already contained in their charter, or a group of incorporators, should they desire to charter a new educational institution with a collegiate name and/or degree authority, would come under the provisions of this section. Post-secondary institutions which desire to obtain authority for junior college (associate) degrees and/or a junior college name, also come under the special provisions of Section 31 of Chapter 69, one of which stipulates that such an institution must have operated as an educational institution for a period of at least one year prior to filing articles of amendment for degree authority or a junior college name. Except for the requirement of one year of operation, Section 31 does not place restrictions on the right of an institution to file articles of amendment. Section 31 does, however, provide criteria which the Board of Higher Education must consider in evaluating petitions from institutions offering programs of the two year college level.

Articles of Amendment

Existing institutions, incorporated as educational institutions under Chapter 180 or Chapter 156B of the general laws of Massachusetts, which desire to amend their charters to obtain or to change their degree authority and/or to obtain or to change a college, junior college, or university name, should file articles of amendment with the Secretary of State. Such articles of amendment come under Section 30 of Chapter 69 and are referred by the Secretary of State to the Board of Higher Education for review and determination.

Under a ruling of the Attorney General, May 17, 1954, articles of amendment for institutions desiring only to change their name from one name which includes the term "college" to another which also includes the term "college" do fall under the provisions of Section 30, Chapter 69. The ruling says, in effect, that the factor which determines the applicability of Section 30, Chapter 69, is the presence in the proposed name of the word "college" (and, by extension, "junior college" or "university"). The fact that the same word or words may appear in the existing corporate name does not remove the petition from the provisions of Section 30.

In order to consider articles of amendment submitted to it by the Secretary of State under Section 30 and to reach a determination, the Board of Higher Education proceeds as follows:

1. It requests the petitioning institution to submit materials in accordance with the Outline of Information on pages 20 to 24.
2. It appoints a Visiting Committee of competent individuals in relevant fields of higher education to evaluate the institution.
3. The Visiting Committee studies the materials submitted by the petitioner, visits the institution, and prepares and submits a report to the Board of Higher Education to include recommendations regarding the petition.
4. The Collegiate Authority Committee of the Board reviews the report of the Visiting Committee.
5. The Board schedules, on at least 30 days' notice, the formal public hearing required under Section 30.
6. Following the public hearing, the Collegiate Authority Committee makes its recommendations to the Board of Higher Education. The action of the Board is then binding on the Secretary of State who officially notifies the petitioner.

Normally six to eight months are required for the consideration of such petitions, from the time the articles are filed with the Secretary of State until the petitioner is notified of the final action. More or less time can be involved depending primarily on when the Board of Higher Education receives the supporting materials described in the Outline of Information. An institution which desires to expedite the process can begin preparation of those materials before its

governing body formally votes the charter change and files the necessary papers with the Secretary of State. If, by so doing, the petitioner can submit the supporting materials soon after the petition has been filed, the time required should not exceed six months and may be less.

In order that the evaluation and the visit by the committee may be as useful and as constructive as possible, the Board makes available to the institution in writing the significant observations of the Visiting Committee. And the Board is available to discuss with the institution the outcome of the petition, particularly concerning aspects of the institution or of its program which may need strengthening.

Articles of Organization

Incorporators of a prospective educational institution for which degree authority, and/or a college or university name, is desired should file articles of organization with the Secretary of State for an educational charter under Chapter 180 or Chapter 156B of the general laws. Such articles are referred by the Secretary of State to the Board of Higher Education for review and determination.

As noted previously, a prospective junior college or institution which desires to award associate degrees must first become incorporated under Chapter 180 or Chapter 156B without such name or degree authority because of the special provision in Section 31 of Chapter 69 regarding one year of operation. The incorporators of such an organization, therefore, should word their articles of organization without reference to junior college in the name and without reference to degree authority in the purpose. Such articles are filed with the Secretary of State but they do not come under the provisions of Section 30 and are, therefore, not forwarded to the Board of Higher Education for review and determination.

Incorporators of baccalaureate and higher level institutions can, should they desire, proceed in the same way, namely to establish a Chapter 180 or Chapter 156B corporation without a college name or degree authority. In such cases, the provisions of Section 30 of Chapter 69 regarding review and determination by the Board of Higher Education do not apply. This option then requires that articles of amendment be filed subsequent to incorporation should the institution desire degree authority and/or a college name.

For articles of organization which come under Section 30, the Board follows essentially the same procedure as in the case of articles of amendment, with one specific exception.

Incorporation of a new educational institution under Section 30 of Chapter 69 poses a different set of circumstances for the petitioner and for the Board of Higher Education than does a charter amendment of an existing institution. In the case of a proposed institution the Board of Higher Education cannot expect supporting materials similar to those in the Outline of Information (pages 20 to 24) required of existing institutions in support of articles of amendment. That outline asks for information which can normally be supplied in full only by existing institutions.

With respect to new organizations seeking to incorporate under Section 30, the Board has two basic requirements:

1. Submission by the petitioner of materials which can reasonably be provided initially, such as:
 - The petition.
 - A list of members of the corporation.
 - The constitution and by-laws.
 - A statement of educational objectives and proposed courses of study.
 - Existing financial support already in hand and pledged.
 - Information on faculty already retained by or identified with the institution, including those pledged to the institution effective as of specified dates.
 - Any other information requested in the outline on pages 20 to 24 for existing institutions which the proposed institution already has in definite form. It is to be expected that such information will vary from one petition to another.
2. Preparation by the petitioner of a timetable which will indicate how the educational objectives of the proposed institution will be met by a given date. This timetable should cover all items relating to the growth and development of the institution and not provided as definite information initially under section one above, with particular emphasis on the following:
 - Courses of study and curricula which the institution plans to offer initially and which would be taught by faculty members pledged to join the institution no later than its first year of operation with students.
 - Plans for further course offerings, if any, necessary to achieve the stated goals of the institution.

- Plans for the acquisition of physical plant and equipment.
- Plans for library development, holdings, physical facilities and financial support.
- Enrollment plans, including annual anticipated enrollment for the period of the timetable.
- Proposed requirements for admission.
- Proposed requirements for graduation.
- Information regarding proposed tuition, fees, and other student charges, as well as plans for student financial aid.
- Description of the guidance and health services which the institution plans to provide.
- Plans for obtaining financial support for the development, growth and maintenance of the institution.
- Other information pertinent to the plans of the incorporators.

In evaluating the proposed organization with the help of a Visiting Committee, the Board, through its Collegiate Authority Committee, will review the goals and the timetable in consultation with the group of incorporators. A favorable determination and recommendation to the Secretary of State by the Board requires that the Board have reasonable assurance that the collegiate level goals of the institution can be realized in accordance with the projected timetable. Such assurance involves primarily adequacy of financing, short-term and long-term, of staff and of program.

As in the case of articles of amendment, once the Collegiate Authority Committee has received and reviewed the report of the Visiting Committee, a public hearing will be scheduled. The final determination is then made by the Board, subsequent to the public hearing, and the Secretary of State notified.

Section 37A, Chapter 74

This section of the General Laws provides that the Board of Higher Education may approve written plans for postsecondary school programs to be offered by institutions covered by that section: industrial, technical, agricultural and/or vocational schools. It further states that such institutions "may, subject to approval of the state board [of education] and the board of higher education, grant the degree of Associate in Applied Science to persons who complete such course or courses of instruction." Section 35A of this Chapter also gives the Board of Higher Education responsibility for decisions regarding requests for degree authority from Essex Agricultural and Technical Institute.

Since Chapter 74 institutions do not come under the jurisdiction of a segmental board in higher education or under Section 30 or 31 of Chapter 69 of the General Laws, the following procedures have been approved by the Board of Higher Education and the Board of Education for review of their programs and/or decisions regarding degree authority.

1. The program will be jointly offered, where feasible, with an appropriate public institution of higher education.
2. Where a joint-degree program is proposed, the degree proposal will be developed by a committee representing both institutions and submitted separately to their respective governing boards for review and forwarding to the Board of Education (for the Chapter 74 institution) and to the Board of Higher Education (for the community college). The Board of Education will forward the proposal from the Chapter 74 institution to the Board of Higher Education.
3. The appropriateness of a joint program will be decided, on its merits in each case, by the Board of Higher Education, after consultation with the Board of Education and the Board of Regional Community Colleges. The basic element in this determination will be the ability of the Board of Regional Community Colleges to provide the general education and other necessary supporting services to students in the Chapter 74 institution.
4. The Board of Higher Education will consider joint program requests under the regular program approval procedures for the segments of public higher education. The action by and recommendation of the Board of Regional Community Colleges will include that part of the program to be offered by the cooperating institution(s). Final action by the Board of Higher Education on the joint program request will take into account action by the Board of Education on such requests.
5. Where a joint program is approved, the degree will bear the name of both institutions, unless one of the participating institutions wishes not to be represented on the degree.
6. Where the Board of Higher Education determines that a joint program is not appropriate (where a Chapter 74 institution will be considered and evaluated for degree purposes independently), procedures similar to those used under Chapter 69 for private institutions will be followed. These include:

- a. Supporting materials from the institution following the Outline on pages 20 - 24 of the Collegiate Authority booklet.
 - b. Appointment by the Board of Higher Education of a Visiting Committee to visit and evaluate the institution and its programs.
7. The Visiting Committee will submit its report, with recommendations regarding degree authorization, to the Board of Higher Education.
8. That report will be considered by the Collegiate Authority Committee of the Board of Higher Education and by the Commission on Occupational Education of the Board of Education and a recommendation presented to the Board of Education.
9. The Board of Education will act on the request for degree authority from the institution concerned, and, if it approves, make an appropriate recommendation to the Board of Higher Education.
10. The Board of Higher Education will then make the final decision, after receiving the recommendation of its Collegiate Authority Committee and the Board of Education, and inform all interested parties.

OUTLINE OF INFORMATION

OUTLINE OF INFORMATION TO BE SUBMITTED, IN TEN COPIES, TO THE BOARD OF HIGHER EDUCATION OF MASSACHUSETTS RELATIVE TO ARTICLES OF AMENDMENT TO THE CHARTER OF AN EXISTING EDUCATIONAL INSTITUTION WHICH WILL GIVE IT THE POWER TO GRANT A DEGREE OR DEGREES AND/OR TO USE THE TITLE "COLLEGE", "JUNIOR COLLEGE", OR "UNIVERSITY".

- I. PETITION. State briefly the authority which you are seeking under this petition. State whether or not previous petitions of this kind regarding a college name and/or degree authority have ever been made to the Legislature, to the Board of Collegiate Authority, or to the Board of Higher Education and state the action taken. Submit a copy of the charter.
- II. MEMBERS OF CORPORATION. Give the names, addresses, and business or educational connections of the members of the corporation. State whether regular meetings are held and formal minutes kept. Submit a copy of the Constitution and By-Laws.
- III. STABILITY OF THE ORGANIZATION. The purpose of this item is to provide the Board of Higher Education with evidence which will show the stability of the petitioners. In this connection you are asked to submit data in regard to the age of the institution, its growth and development, and its professional standing. A certified audit showing the financial structure of the institution, with Balance Sheets and Profit and Loss Statements for the last two fiscal years, will be required.
- IV. TAX EXEMPTIONS.
 - A. Has the institution been declared tax-exempt by the community in which it is located?
 - B. Are there any decisions pending before the courts relative to the exemption of the institution from taxation in the community in which it is located?
 - C. Has the institution been declared tax-exempt by the Federal Government?

- V. ENDOWMENTS. Give a general statement as to endowment funds.
- VI. PHYSICAL PROPERTY. List the number of buildings, each with date of construction, with the number of rooms in each building, the uses of the buildings, and the extent of the property on which they are located. (Separate the number of rooms used for class and lecture purposes from dormitory rooms, recreation rooms, etc.) If the institution maintains a secondary school, indicate the provision, if any, for housing students in the secondary school separately.
- VII. CERTIFICATE OF INSPECTION. A copy of each Inspection Certificate from the Department of Public Safety should be submitted with the material to be filed.
- VIII. EDUCATIONAL OBJECTIVES. State the present educational objectives of the institution and the proposed objectives if the petition is granted.
- IX. PROGRAM OF STUDY. State or give catalogue page reference to the program of study for each curriculum offered or proposed.
- X. FACULTY. Give the following information for each member of the faculty and administrative staff:
- A. Name.
 - B. Colleges attended and degrees received with dates. (Years of experience in industry or business may compensate for lack of graduate degrees in the case of vocational teachers. Therefore, if an individual is teaching a subject which can be classified as vocational, state the business or industrial experience in detail.)
 - C. Full-time or part-time. Where individual has administrative and teaching responsibilities indicate proportion of time devoted to each.
 - D. Number of hours per week taught. Lecture and laboratory periods should be listed separately. For administrators give title and brief description of responsibilities if not clear from title.
 - E. Number of hours per week and subjects taught at other institutions, in detail.
 - F. Salary.

- G. Number of years of service as a member of your faculty and/or administration.
- H. Years of experience in the teaching profession, with dates and institutions.
- XI. EQUIPMENT. Give an inventory of all instructional equipment in use at the institution by divisions, e.g., list all equipment used in the teaching of chemistry.
- XII. LIBRARY. The statement as to the library facilities should be as comprehensive as possible and should include: the annual appropriation for books for each of the past three years, the total number of volumes, the cataloguing system, the number of volumes catalogued, the percentage of duplication, the number and names of scientific and research journals, the approximate value of the equipment and books, any statement as to the usually accepted minimum number of volumes for the type of work covered by the petition, and any unusual collections. Give statistics on the use of the library by students during the preceding school year.
- XIII. ADMISSION. State your present admissions procedures and entrance requirements, and any changes in requirements anticipated if the petition is granted. Give the names of tests, if any, used in connection with the admission of students to the institution. Include profiles of admitted students, if available, reflecting in particular, distribution by secondary school class rank and by test performance.
- XIV. ENROLLMENT. State the total enrollment of the college for the current year. Give the number of full-time, part-time, and evening students separately. Give a tabulation of the number of students in each class. If the institution operates a summer school, state the number of students in the last session.
- XV. REQUIREMENTS FOR GRADUATION. Give a general statement of the requirements for graduation in courses now being operated, and the proposed requirements in any new courses which would be offered if the petition were granted.
- XVI. GUIDANCE. Describe the program followed for determining the ability and special aptitudes of students and the uses made of the results. Describe fully the program of student guidance.

- XVII. ACTIVITIES PROGRAM. List extra-curricular activities or give catalogue page references to descriptions of such activities.
- XVIII. HEALTH. State the provisions which are made for the medical, nursing, and infirmary care of students; also describe the provisions for emergency care. List the names of doctors and nurses on call, or in the regular full-time employ of the institution. Indicate the amount of time given by part-time or on-call professional personnel under this heading.
- XIX. TUITION. State the rate of tuition for full-time and part-time students, together with any additional fees and/or charges.
- XX. STUDENT FINANCIAL AID. Indicate the total dollar value for each of the past two years of financial aid funds which the institution has available to award itself to students. Report as separate sub-totals gift, loan, and job assistance and differentiate as to source, for example, Federal and institutional, Federal allocations for Educational Opportunity Grants, National Defense Student Loans, and the College Work-Study Program should appear as individual figures for each year. Indicate the total number of students assisted each year by the total student aid program.
- XXI. ACCEPTANCE OF GRADUATES AT OTHER INSTITUTIONS. List accredited institutions which have accepted your graduates during the past three years with the amount of credit given by each institution. Where possible, provide the name and address of each such graduate, the institution attended, and the amount of credit received.
- XXII. PLACEMENT OF GRADUATES. Summarize the kinds of positions obtained by other graduates during the past three years, and, where available, provide specific placement information by name for each graduate.
- XXIII. ACCREDITING BY REGIONAL OR NATIONAL AGENCIES. List any accrediting associations (regional or national), or any State Departments of Education, which have accredited or approved your institution.
- XXIV. OTHER SIGNIFICANT FACTORS. State here any significant factors which have not been included in the

foregoing and which, in your opinion, might be helpful to the Board in arriving at a decision on your petition.

- XXV. CATALOG. Fifteen copies of the most recent printed report and descriptive catalog should be submitted with the material to be filed.

GUIDELINES FOR PROPRIETARY INSTITUTIONS REQUESTING DEGREE AUTHORITY

In addition to the preceding Outline of Information, the Board of Higher Education requires proprietary institutions, which are incorporated or propose to incorporate for profit-making purposes under the provisions of the General Laws, Chapter 156B, as educational institutions titled "college", "junior college", or "university", and/or with power to grant a degree or degrees, to submit the following information included in the Guidelines for Proprietary Institutions Requesting Degree Authority, approved by the Board of Higher Education June 15, 1973.

1. In order to obtain degree granting authority, a local educational institution must have a Board of Trustees with a minimum of seven members. At least three members and in no case less than one-third of the Board's membership should have no affiliation with the institution and should be able and experienced men and women who are residents of Massachusetts and from such fields, for example, as education, labor, business, government, law, medicine and science, to provide breadth of viewpoint, interests, and potential contribution. Members of the Board should be appointed by the chief executive officer of the corporation, with the approval of the Massachusetts Board of Higher Education.
 - a. The requirement that a local educational institution establish a Board of Trustees is designed to encompass the following situations:
 - 1) a national educational organization with a Massachusetts based educational subsidiary. A Board of Trustees must be established for the local educational organization independent of the national organization.
 - 2) a Massachusetts based educational organization. A Board of Trustees must be established.

- 3) a national business corporation with a Massachusetts based educational subsidiary. A Board of Trustees must be established for the local educational organization independent of the national organization.
 - 4) a local business corporation with a local educational subsidiary. An independent Board of Trustees must be established for the local educational institution.
- b. The functions and responsibilities of the Board of Trustees will be as follows:
- 1) to approve the appointment of the institution's chief executive officer who will serve at the pleasure of the Board of Trustees.
 - 2) to approve recommendations from the chief executive officer and faculty for degrees.
 - 3) to approve the budgeted allocation of funds to the institution's educational activities.
 - 4) to assure continuing high quality in degree programs.
 - 5) to preserve the integrity of the institution in the selection of students.
 - 6) to safeguard faculty interests in such areas as academic freedom and to assure that due process is observed in the case of the dismissal of any faculty member.
 - 7) to serve as a "court of last resort" in any disagreement between or among faculty, administration and students.
 - 8) to represent the institution to the public and interpret its policies and practices when called on to do so.
 - 9) to exert influence in the direction of
 - establishing and maintaining programs for the development of faculty as teachers;
 - encouraging faculty research and publication;
 - disseminating to other educational institutions and the public at large case studies and other teaching materials developed at the institution.
- c. The Board should meet regularly and at least four times a year. Each year the Board is required to submit a report to the Board of Higher Education of the Commonwealth of Massachusetts, reviewing the status of the institution's degree granting programs. This report, to be labeled the annual report, should evaluate the general quality of curricula, the faculty and the student bodies.

It should provide statistical information on number of students completing the requirements for the degree, job placement and/or transfer statistics, operating costs and revenues. It should provide evidence that degree authority, tuition and refund policies are clearly stated in the publicity of the institution. Finally, the report should certify whether, in fact, the institution's degree granting programs are maintained and operated within the provisions and spirit of the criteria and guidelines set forth for proprietary institutions with degree granting authority.

2. A high school degree or its equivalent is a prerequisite for admission.
3. Degree status, tuition charges, other charges and refund policy for proprietary institutions must be clearly stated in the publicity of the institutions.
4. Clear and precise records of the financial status of the institution must be a matter of public record. In all cases, separate accounting records must be maintained for the local educational institution requesting degree authority.
5. The status of course credits amassed and the records of graduates receiving transfer credits for those courses, or records on jobs and wage rates achieved by graduates must be a matter of public record.
6. In order to insure public access to information on degree granting proprietary institutions, each institution must publish and furnish the Board of Higher Education with three hundred copies of the institution's annual report.
7. Proprietary institutions may petition for any degree the Board of Higher Education has the authority to grant.
8. All requests for degree authority shall be processed through the Board of Higher Education's usual degree granting procedures. A Visiting Committee will be established and will address itself to the guidelines and criteria as outlined above. Although flexible on inputs, the Committee would expect that an institution would provide services to students and academic programs at a level and quality comparable to similar non-profit institutions. Continued degree granting authority at the institution will be subject to a review by revisitation teams at three year intervals. The costs of these revisitations will be borne by the institution.

